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OLC 72-1002

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13 September 1972

MEMORANDUM FOR THE RECORD

SUBJECT: Legislative Interdepartmental Group Meeting re  
Pending National Security Legislation

1. Today I attended a meeting of the Legislative Interdepartmental Group at 1500 hours in the Cabinet Room of the White House. Those present included:

National Security Council

ACDA

John Lehman (Acting Chairman)  
Colonel Richard Kennedy

Bill Hancock

OMB

White House

James Frye

William E. Timmons  
Tom Korologos  
Richard Cook  
Colonel T. C. Pinckney

State Department

Curtis Tarr  
David Abshire  
Marshall Wright

Defense Department

Rady Johnson

USIA

Charles Ablard  
Eugene Kopp

AID

Matt Harvey

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2. Items of interest to the Agency included the following:

a. Cooper Bill (S.2224, requiring that intelligence information be made widely available to Congress). Mr. Abshire understands this bill will be attached as an amendment to the Security Assistance bill. I was asked if the Director would be prepared to write a letter to the President recommending the veto of any legislation of which this bill was a part. I said I doubted the Director would state his position in these terms, since he might feel he could not weigh all the equities, but I had no doubt of his position regarding the intelligence community. I said I thought he might well state that the Cooper bill, in its present form, would make it impossible for him to carry out his statutory responsibilities regarding the protection of intelligence sources and methods. I said he might also say something to the effect that the uncontrolled dissemination of intelligence information which the bill would seem to contemplate would make it impossible to maintain an effective national intelligence service.

Messrs. Kennedy and Tarr agreed that these were valid points. Mr. Abshire said he thought, with a little education of the members, it might be possible to defeat such a bill or amendment on the floor. Mr. Tarr questioned this pointing out that even staunch Administration supporters would find it difficult to resist the temptation to "cut themselves in on the intelligence circuit."

b. I called attention of the group to the status of the "Ervin bill" rider to a pending bill before the House Judiciary Committee to extend the life of the Civil Rights Commission. Rady Johnson said that he had just talked with Chairman Dulski, of the House Post Office and Civil Service Committee, who had discussed the matter with Chairman Celler, of the House Judiciary Committee, and been assured that Celler would not go to conference on the bill unless forced, and in that case would raise a point of order regarding the germaneness of the Ervin bill rider.

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c. I reminded the group that the question we had occasionally discussed previously of congressional requests for access to National Intelligence Estimates remained unresolved. I noted that the latest development was a request for a specific NIE on Southeast Asia by the Foreign Relations Committee. In the course of the ensuing discussion it was argued that it would be quite difficult to insist that National Estimates are very precious so long as copies were freely available in various places such as war colleges, etc. I said the fact remained that they were supposedly confined to the Executive Branch and I pointed out the implications of releasing them to the Congress. I said I appreciated the President's reluctance to resort to executive privilege but would welcome any suggestions as to the best basis on which to hold our ground. Among other things, I said it had been suggested that a guidance letter from the President to the Director might help us in this regard. John Lehman asked that we draft the kind of letter we have in mind and send it over for them to consider, which I agreed to do.

STATINTL

JOHN M. MAURY  
Legislative Counsel

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